

THE LAW FIRM OF  
**OTTOSEN TREVARTHEN BRITZ  
KELLY & COOPER, LTD.**

303 North Main Street • Elburn, Illinois 60119  
Telephone 630.365.6441 • Facsimile 630.365.6451 • E-mail rbritz@otbkco.com

**COPY**

Robert J. Britz  
Attorney at Law

Of Counsel  
Anthony M. Peccarelli  
William R. Penn

May 13, 2003

RECEIVED  
MAY 13 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

**CERTIFIED MAIL; U.S. MAIL;  
and FACSIMILE**

Kevin Sharpe  
Director of Processing  
State of Illinois  
Illinois Commerce Commission  
527 E. Capitol Drive  
Springfield, IL 62794-9280

**APPEARANCE**

Re: Petition for an Order of the Illinois Commerce Commission for the  
Closure of Brundige Road, Public Grade Crossing D.O.T. #175003E at  
Milepost 39.40 on the Elburn Extension of the Geneva Subdivision,  
Unincorporated Area of Kane County, Illinois - *Case No. T03-0030*

Petition for an Order of the Illinois Commerce Commission for the  
Closure of Pouley Road, Public Grade Crossing D.O.T. #175006A AT  
Milepost 42.43 on the Elburn Extension of the Geneva Subdivision,  
Unincorporated Area of Kane County, Illinois - *Case No. T03-0031*

Dear Mr. Sharpe:

My office was retained on May 9, 2003, to represent Blackberry Township Road District regarding the above matters. A petition was recently filed by Union Pacific to substitute the Road District for Kane County. The Road District only recently received notice of the May 21, 2003, hearing. It has yet to receive a copy of the underlying petitions for closure. Both the Road District and my firm need additional time to prepare for the hearing.

**DOCKETED**

Joliet  
815.723.0601

Wheaton  
630.682.0085

Woodstock  
815.338.8011

THE LAW FIRM OF  
**OTTOSEN TREVARTHEN BRITZ  
KELLY & COOPER, LTD.**

Kevin Sharpe, Director of Processing  
Illinois Commerce Commission  
May 13, 2003  
Page 2

Please accept this letter as my client's request for extension of the hearings. Also,  
please forward to me copies of the subject petitions.

Very truly yours,



Robert J. Britz

jts  
Enclosure

cc: Rod Feece, Blackberry Township  
June Tate, Administrative Law Judge, Illinois Commerce Commission  
Mack Schumann, Jr., Law Dept., Union Pacific

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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Union Pacific Railroad Company,  
Petitioner,

vs.

Kane County, State of Illinois, and Illinois  
Department of Transportation,  
Respondents.

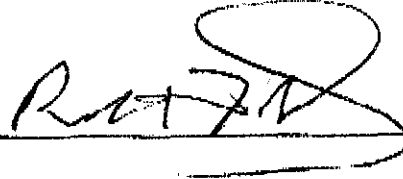
T03-0030

Petition for an Order of the Illinois Commerce Commission for the  
Closure of Brundige Road, Public Grade Crossing D.O.T. #175003E  
at Milepost 39.40 on the Elburn Extension of the Geneva Subdivision  
Unincorporated Area of Kane County, Illinois.

TO: see attached

NOTICE OF FILING

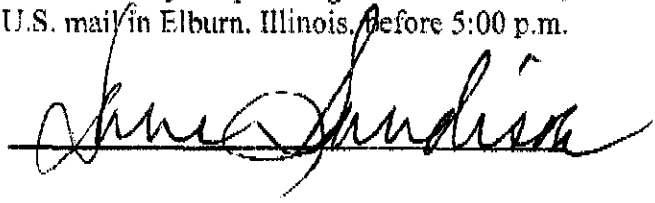
PLEASE TAKE NOTICE that on the 13th day of May, 2003, the undersigned caused to be filed with the Illinois Commerce Commission, State of Illinois, the Blackberry Township Road District's Request for Extension, along with a copy of this Notice of Filing, copies of which are attached hereto and served upon you.



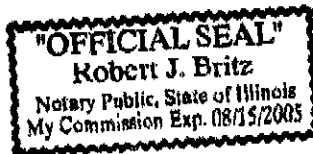
Robert J Dritz  
Attorney for Blackberry Township Road District  
OTTOSEN TREVARTHEN BRITZ KELLY & COOPER  
303 N Main Street  
Elburn, IL 60119  
(630) 365-6441

**PROOF OF SERVICE**

The undersigned certifies that copies of the foregoing Notice of Filing and District's Request for Extension were served upon the above named person(s) by enclosing the same in an envelope addressed to such parties at their address as disclosed by the pleadings of record herein, and by depositing same with postage prepaid in the U.S. mail in Elburn, Illinois, before 5:00 p.m. on this 13th day of May, 2003.



**SUBSCRIBED and SWORN to**  
before me this 13th day of  
May, 2003.

  
**NOTARY PUBLIC**

Robert J Britz  
Attorney for Blackberry Township Road District  
OTTOSEN TREVARTHEN BRITZ KELLY & COOPER  
303 N Main Street  
Elburn, IL 60119  
(630) 365-6441

**Service List**

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Springfield, IL 62794-0280

Mark H. Shumate, Jr.  
Senior General Attorney, Law Dept.  
Union Pacific Railroad  
101 N. Wacker Dr., Rm. 1920  
Chicago, IL 60606-1718

June B. Tate  
Administrative Law Judge  
Review & Examination Program  
State of Illinois  
Illinois Commerce Commission  
527 E. Capitol Avenue, 9<sup>th</sup> Floor  
Springfield, IL 62701